

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17-BK-3283-LTS

(Jointly Administered)

**This filing relates to the
Commonwealth and HTA.**

**REPLY OF THE COMMONWEALTH OF PUERTO RICO TO RESPONSE
[ECF NO. 23299] TO THE FIVE HUNDRED TWENTY-SECOND OMNIBUS
OBJECTION (SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO RICO AND
THE PUERTO RICO HIGHWAYS AND TRANSPORTATION AUTHORITY TO
UNLIQUIDATED CLAIMS**

To the Honorable United States District Judge Laura Taylor Swain:

The Commonwealth of Puerto Rico (the “Commonwealth”) and the Puerto Rico Highways and Transportation Authority (“HTA,” and together with the Commonwealth, the “Debtors”), by

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 -BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA,” and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Debtors pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² file this reply (the “Reply”) to the response [ECF No. 23299] (the “Response”) filed by claimant Luz Esther Rivera Cuevas (“Rivera Cuevas”) to the *Five Hundred Twenty-Second Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico and the Puerto Rico Highways and Transportation Authority to Unliquidated Claims* [ECF No. 22257] (the “Five Hundred Twenty-Second Omnibus Objection”). In support of this Reply, the Debtors respectfully represent as follows:

1. On September 16, 2022, the Commonwealth and HTA filed the Five Hundred Twenty-Second Omnibus Objection seeking to liquidate and allow claims asserting unliquidated amounts, each as set forth on Exhibit A thereto, based on supporting documentation received from the relevant claimant and/or the Puerto Rico Fiscal Agency and Financial Advisory Authority establishing the appropriate allowable amount for each claim.

2. Any party who disputed the Five Hundred Twenty-Second Omnibus Objection was required to file a response by 4:00 p.m. (Atlantic Standard Time) on October 17, 2022 in accordance with the Court-approved notice attached to the Five Hundred Twenty-Second Omnibus Objection as Exhibit C, which was served in English and Spanish on the individual creditors subject to the Five Hundred Twenty-Second Omnibus Objection, the U.S. Trustee, and the Master Service List (as defined in the *Sixteenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 20190-1]). *See Certificate of Service* [ECF No. 22563].

² PROMESA is codified at 48 U.S.C. §§ 2101–2241.

3. Rivera Cuevas filed the Response on January 20, 2023. The Response consists solely of an excerpt of Exhibit A to the Five Hundred Twenty-Second Omnibus Objection, which identifies the proof of claim filed by the Claimant against the Commonwealth as Proof of Claim No. 14673 (the “Claim”) as a claim to be liquidated and allowed in the amount of \$230.40. On this excerpt, Claimant has written the question “whether I can still receive the money from the Promesa Act.” *See* Response.

4. Accordingly, the Response does not oppose the Debtors’ proposed liquidated amount of the Claim or otherwise object to the Five Hundred Twenty-Second Omnibus Objection. Rather, it appears to simply be inquiring as to the status of distributions on account of the Claim. In the event the Five Hundred Twenty-Second Omnibus Objection is granted and the Claim is liquidated and allowed, Rivera Cuevas will receive distributions pursuant to the terms of the *Modified Eighth Amended Title III Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* [ECF No. 19784].

5. For the foregoing reasons, the Debtors respectfully request that the Court grant the Five Hundred Twenty-Second Omnibus Objection, notwithstanding the Response.

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Dated: April 11, 2023
San Juan, Puerto Rico

Respectfully submitted,

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